

JUDGE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR14-328-TSZ
)	
Plaintiff,)	
)	ORDER GRANTING SECOND
v.)	MOTION TO CONTINUE TRIAL AND
)	PRETRIAL MOTIONS DEADLINE
RICHARD THAYNE MUTSCHLER,)	
)	
Defendant.)	

THE COURT has considered the unopposed second motion to continue the trial date and pretrial motions deadline, docket no. 18, and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the case is sufficiently complex that it is unreasonable to expect adequate
2 preparation for pretrial proceedings or the trial itself within the current trial schedule, as
3 set forth in 18 U.S.C. § 3161(h)(7)(B)(ii); and

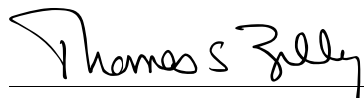
4 (e) the ends of justice will best be served by a continuance, which outweighs the
5 best interests of the public and the defendant in any speedier trial, as set forth in 18
6 U.S.C. § 3161(h)(7)(A); and

7 (f) the additional time requested between the current trial date of April 20, 2015,
8 2015, and the new trial date is necessary to provide counsel for the defendant the
9 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
10 the facts set forth above.

11 (g) that the period of delay from the date of this order to the new trial date is
12 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

13 IT IS THEREFORE ORDERED that the trial date in this matter shall be
14 continued to October 5, 2015, and that pretrial motions shall be filed no later than
15 September 3, 2015.

16 DONE this 6th day of March, 2015.

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19 THOMAS S. ZILLY
20 United States District Judge
21

22 Presented by:

23 s/ *Peter J. Avenia*
24 Assistant Federal Public Defender
25 Attorney for Richard Mutschler
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